

DOCKET NO: 275730US6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : DATE ALLOWED: MARCH 9, 2010  
TOSHIHIRO MORITA, ET AL. : EXAMINER: CHEN, T.  
SERIAL NO: 09/889,023 :  
FILED: JANUARY 10, 2002 : GROUP ART UNIT: 2161  
FOR: INFORMATION PROCESSING :  
APPARATUS AND METHOD, AND  
PROGRAM STORAGE MEDIUM

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants herein petition the Commissioner to invoke his supervisory authority to require the examiner to consider all of the references cited in the Information Disclosure Statement filed on July 10, 2001 in this allowed application.

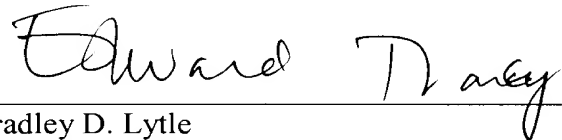
An Information Disclosure Statement in conformity with the requirements of 37 C.F.R. §1.97-1.98 was filed on July 10, 2001 via U.S. Express Mail. Copies of the Information Disclosure Statement, the date-stamped customer copy of the mailing receipt, and a card containing a list of the mailed items are attached. References AS and AT cited in the Information Disclosure Statement were never acknowledged or made of record by the examiner. However, according to a Notice of Acceptance of Application dated November 10, 2000, the U.S.P.T.O. received a copy of the International Search Report which contains the above-noted 2 references, as shown in the U.S.P.T.O. PAIR page.

In accordance with MPEP §609.04(a), where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. As the International Search Report provides an "X", "Y", or "A" indication for references AS and AT, consideration of references AS and AT is respectfully requested.

Although Applicants do not believe that any fee is required for the present petition, any required fee should be charged to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Edward W. Tracy, Jr.  
Registration No. 47,998

09/889023

18 Rec'd PCT/PTO 1 0 JUL 2001  
450101-02844

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : MORITA, et al.  
Int'l Appln. No. : PCT/JP00/07967  
Int'l Filing Date : November 10, 2000  
Title of Invention : INFORMATION PROCESSING APPARATUS  
AND METHOD, AND PROGRAM STORAGE  
MEDIUM

745 Fifth Avenue  
New York, NY 10151

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Mailing Label Number: EL742691460US

Date of Deposit: July 10, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents Washington, DC 20231.

*Edward Nay*

(Typed or printed name of person mailing paper or fee)

*[Signature]*

(Signature of person mailing paper or fee)

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed are copies of the publications which were cited in the International Search Report of International Application No. PCT/JP00/07967. Also enclosed is a copy of Form PTO-1449 and the International Search Report.

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**REMARKS**

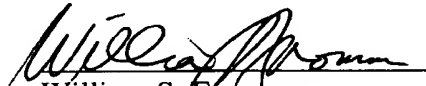
Entry of this Information Disclosure Statement and an early examination on the merits are respectfully solicited.

Please charge any additional fees to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

  
William S. Frommer  
Reg. No. 25,506  
(212) 588-0800

WSF/dds  
Enclosures

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AC18 [REDACTED] PCT/PTO 1 0 JUL 2001 Page 1 of 1

U.S. PATENT DOCUMENTS

|                          |  |
|--------------------------|--|
| FOREIGN PATENT DOCUMENTS |  |
|--------------------------|--|

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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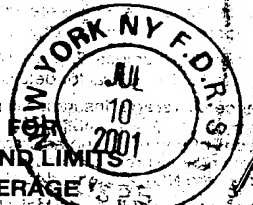
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Mailed July 10, 2001  
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Serial No. \_\_\_\_\_ File No. 450101-02844 By WSF/dls  
Title In the Matter of the Application of Information Processing Apparatus and Method  
The following due 7/12/01 in the U.S. Patent Office, was received in the Patent Office

|   |                                      |   |
|---|--------------------------------------|---|
| <input type="checkbox"/> Affidavit  | <input type="checkbox"/> Declaration | <input checked="" type="checkbox"/> Express Mail Mailing Certificate                                    |
| <input checked="" type="checkbox"/> Amendment   |                                      | <input checked="" type="checkbox"/> (separate sheet)  |
| <input checked="" type="checkbox"/> Preliminary Amendment   |                                      | <input checked="" type="checkbox"/> Check No. <u>16334</u> for \$ <u>1,288.00</u>                       |
| <input type="checkbox"/> Amendment After Final Rejection  |                                      | <input type="checkbox"/> Deposit Account Order Form   |
| <input type="checkbox"/> Request for Extension of Time  |                                      | <input checked="" type="checkbox"/> Drawing <u>45</u> Sheet(s)  |
| <input type="checkbox"/> Provisional Patent Application   |                                      | <input checked="" type="checkbox"/> Information Disclosure Statement                                    |
| <input type="checkbox"/> Application for Patent, including <u>1 page</u>                                      |                                      | <input checked="" type="checkbox"/> PTO Form 1449, and references                                       |
| <input checked="" type="checkbox"/> <del>Z</del> Pages Specification <u>26</u> Claims <u>Abstract</u>         |                                      | <input type="checkbox"/> Issue Fee Transmittal  |
| <input type="checkbox"/> Declaration <input type="checkbox"/> Oath <input type="checkbox"/> Power             |                                      | <input type="checkbox"/> Brief <input type="checkbox"/> Letter  |
| <input type="checkbox"/> Request for Filing Continuation or Divisional Application _____ sheets, in duplicate |                                      | <input type="checkbox"/> Application for TM Registration Including _____ Specimens                      |
| <input type="checkbox"/> File Wrapper Continuation Patent Application _____ sheets, in duplicate              |                                      | <input type="checkbox"/> Status Request <input type="checkbox"/> Notice of Appeal                       |
| <input type="checkbox"/> PCT Request _____ sheets, including  |                                      | <input type="checkbox"/> Petition <input type="checkbox"/> Response                                     |
| <input checked="" type="checkbox"/> Transmittal Letter to the US/RO   |                                      | <input type="checkbox"/> Priority Document  |
| <input type="checkbox"/> Assignment <input type="checkbox"/> Recordation Cover Sheet                          |                                      | <input type="checkbox"/> Small Entity Declaration   |
|   |                                      | <input checked="" type="checkbox"/> <u>PCT/RO/101, PCT/E5/A210,</u><br><u>PCT/IB/301, 302, 304, 342</u> |

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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 09/889,023                  | Toshihiro Morita      | 450101-02844     |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/JP00/07967

| LA. FILING DATE | PRIORITY DATE |
|-----------------|---------------|
|-----------------|---------------|

11/10/2000

11/12/1999

William S Frommer  
Frommer Lawrence & Haug  
745 Fifth Avenue  
New York, NY 10151

CONFIRMATION NO. 4611

371 ACCEPTANCE LETTER



\*OC000000007339280\*

Date Mailed: 01/31/2002

### NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.494 OR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated Office (37 CFR 1.494), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

01/10/2002  
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
(c)(4) REQUIREMENTS

01/10/2002  
DATE OF RECEIPT OF ALL 35 U.S.C.  
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** *The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).* Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- U.S. Basic National Fee
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

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## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP00/07967

## A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl.<sup>7</sup> G10K15/02, G06F3/00, 17/60, G11B27/00, 27/10

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl.<sup>7</sup> G10K15/02, 15/04

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho 1922-1996 Toroku Jitsuyo Shinan Koho 1994-2001  
 Kokai Jitsuyo Shinan Koho 1971-2001 Jitsuyo Shinan Toroku Koho 1996-2001

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

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 IEEE Electronic Library Online

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages  | Relevant to claim No.       |
|-----------|---|-----------------------------|
| X         | JP, 10-161679, A (Taito Corporation),<br>19 June, 1998 (19.06.98),  | 1-5, 10-14,<br>16-17, 20-40 |
| Y         | Full text, all drawings (Family: none)  | 6, 8-9, 15, 18-19           |
| A         |   | 7                           |
| X         | JP, 9-212181, A (Victor Company of Japan, Limited),<br>15 August, 1997 (15.08.97),  | 1-5, 10-14,<br>16-17, 20-40 |
| Y         | Full text, all drawings (Family: none)  | 6, 8-9, 15, 18-19           |
| A         |   | 7                           |
| ⇒ Y       | Nikkei Electronics, Vol.739, "Kogata Memory Card de<br>Ongaku Chosakuken wo mamoru,"<br>22 March, 1999 (22.03.99), pp.49-53 | 6                           |
| Y         | JP, 11-52965, A (Daiichi Kosho K.K.),<br>26 February, 1999 (26.02.99),<br>Full text, all drawings (Family: none)            | 8-9, 15, 18-19              |
| ⇒ A       | Nikkei Electronics, Vol.738, "Ongaku Haishin Matta<br>nashi," 08 March, 1999 (08.03.99), pp.87-111                          | 1-40                        |

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

\* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance  
 "E" earlier document but published on or after the international filing date  
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- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  
 "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  
 "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art  
 "&" document member of the same patent family

Date of the actual completion of the international search  
 25 January, 2001 (25.01.01)

Date of mailing of the international search report  
 06 February, 2001 (06.02.01)

Name and mailing address of the ISA/  
 Japanese Patent Office

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|            |       |   |             |     |
|------------|-------|---|-------------|-----|
| 01-30-2004 | 1449  | considered by examiner  | PRIOR ART   | 1   |
| 01-23-2004 | SRNT  | Examiner's search strategy and results  | PROSECUTION | 5   |
| 01-23-2004 | SRNT  | Examiner's search strategy and results  | PROSECUTION | 6   |
| 12-16-2002 | IDS   | Information Disclosure Statement (IDS) Filed (SB/08)                                  | PROSECUTION | 2   |
| 12-16-2002 | NPL   | NPL Documents   | PRIOR ART   | 1   |
| 12-16-2002 | NPL   | NPL Documents   | PRIOR ART   | 1   |
| 01-31-2002 | M903  | Notice of DO/EO Acceptance Mailed   | PROSECUTION | 2   |
| 01-10-2002 | ABST  | Abstract  | AS FILED    | 1   |
| 01-10-2002 | LET.  | Miscellaneous Incoming Letter   | AS FILED    | 142 |
| 01-10-2002 | LET.  | Miscellaneous Incoming Letter   | PROSECUTION | 3   |
| 01-10-2002 | BIB   | Bibliographic Data Sheet  | PROSECUTION | 1   |
| 01-10-2002 | OATH  | Oath or Declaration filed   | PROSECUTION | 4   |
| 09-04-2001 | M905  | Notice of DO/EO Missing Requirements Mailed   | PROSECUTION | 1   |
| 07-10-2001 | IIFW  | Issue Information including classification, examiner, name, claim, renumbering, etc.  | PROSECUTION | 1   |
| 07-10-2001 | SRFW  | Search information including classification, databases and other search related notes | PROSECUTION | 1   |
| 07-10-2001 | FWCLM | Index of Claims   | PROSECUTION | 1   |
| 07-10-2001 | TRNA  | Transmittal of New Application  | PROSECUTION | 2   |
| 07-10-2001 | 136A  | Authorization for Extension of Time all replies                                       | PROSECUTION | 2   |
| 07-10-2001 | DRW   | Drawings-only black and white line drawings   | PROSECUTION | 45  |
| 07-10-2001 | SPEC  | Specification   | PROSECUTION | 75  |
| 07-10-2001 | CLM   | Claims  | PROSECUTION | 7   |
| 07-10-2001 | ABST  | Abstract  | PROSECUTION | 1   |
| 07-10-2001 | BIB   | Bibliographic Data Sheet  | PROSECUTION | 1   |
| 07-10-2001 | WFEE  | Fee Worksheet (PTO-875)   | PROSECUTION | 1   |
| 07-10-2001 | WFEE  | Fee Worksheet (PTO-875)   | PROSECUTION | 1   |
| 07-10-2001 | WCLM  | Claims Worksheet (PTO-2022)   | PROSECUTION | 1   |
| 07-10-2001 | IMIS  | Miscellaneous Internal Document   | PROSECUTION | 1   |
| 07-10-2001 | A.PE  | Preliminary Amendment   | PROSECUTION | 1   |
| 07-10-2001 | CLM   | Claims  | PROSECUTION | 5   |
| 07-10-2001 | REM   | Applicant Arguments/Remarks Made in an Amendment                                      | PROSECUTION | 1   |
| 07-10-2001 | IDS   | Information Disclosure Statement (IDS) Filed (SB/08)                                  | PROSECUTION | 3   |
| 07-10-2001 | NPL   | NPL Documents   | PRIOR ART   | 5   |
| 07-10-2001 | NPL   | NPL Documents   | PRIOR ART   | 26  |
| 07-10-2001 | NPL   | NPL Documents   | PRIOR ART   | 4   |
| 07-10-2001 | 371P  | Documents submitted with 371 Applications   | PROSECUTION | 206 |
| 07-10-2001 | FRPR  | Certified Copy of Foreign Priority Application  | PROSECUTION | 58  |
| 07-10-2001 | FOR   | Foreign Reference   | PRIOR ART   | 8   |
| 07-10-2001 | FOR   | Foreign Reference   | PRIOR ART   | 12  |
| 07-10-2001 | FOR   | Foreign Reference   | PRIOR ART   | 14  |

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